

THURSDAY, MARCH 9, 1995

EIGHTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by the Reverend Hartsell McCurry, Clear Springs Baptist Church, Mascot, Tennessee.

Representative Boyer led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were: Armstrong, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kieber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Riggsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Arriola; business reasons.

PERSONAL ORDERS

On motion of Rep. Walley, **House Joint Resolution No. 144** was removed from the Consent Calendar and held on the desk.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 139: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 144: Rep(s). Williams (Union) as prime sponsor(s).

House Bill No. 193: Rep(s). Turner (Hamilton) and Givens as prime sponsor(s).

House Bill No. 782: Rep(s). Turner (Hamilton), Langster, Cole (Carter), Kent, and Williams (Union) as prime sponsor(s).

MESSAGE FROM THE SENATE
March 9, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 71, 82, 83, 84, 85 and 87; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 71 --** Memorials, Congress -- Urges Tennessee congressional delegation to introduce and work for passage of legislation to rename Mountain Home Veteran Affairs Medical Center in honor of Congressman James H. Quillen. by *Crowe, *Wilder, *Cohen, *Kyle.

Senate Joint Resolution No. 82 -- Memorials, Public Service -- Harold Dishner. by *Crowe.

Senate Joint Resolution No. 83 -- Memorials, Public Service -- Mayor Victor Ashe, election as president of U.S. Conference of Mayors. by *Atchley, *McNally, *Gilbert, *Wilder, *Rochelle.

Senate Joint Resolution No. 84 -- Memorials, Public Service -- Senator Ray Albright. by *Atchley, *Elsea, *Cooper, *Wilder, *Cohen, *O'Brien, *Harper, *Womack, *Rochelle, *Haynes.

Senate Joint Resolution No. 85 -- Memorials, Death -- James L. Bailey. by *Springer, *Henry.

Senate Joint Resolution No. 87 -- Memorials, Public Service -- Cane Creek Baptist Church. by *Dixon, *Ford, *Kyle.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 13, 1995:

House Joint Resolution No. 147 -- Memorials, Death -- Walter Dotson "Dot" Carter. by *Newton.

House Joint Resolution No. 148 -- Memorials, Public Service -- Jabie and Helen Hardin. by *Kent.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 13, 1995:

***Senate Joint Resolution No. 71** -- Memorials, Congress -- Urges Tennessee congressional delegation to introduce and work for passage of legislation to rename Mountain Home Veteran Affairs Medical Center in honor of Congressman James H. Quillen. by *Crowe, *Wilder, *Cohen, *Kyle.

Senate Joint Resolution No. 82 -- Memorials, Public Service -- Harold Dishner. by *Crowe.

Senate Joint Resolution No. 83 -- Memorials, Public Service -- Mayor Victor Ashe, election as president of U.S. Conference of Mayors. by *Atchley, *McNally, *Gilbert, *Wilder, *Rochelle.

Senate Joint Resolution No. 84 -- Memorials, Public Service -- Senator Ray Albright. by *Atchley, *Elsea, *Cooper, *Wilder, *Cohen, *O'Brien, *Harper, *Womack, *Rochelle, *Haynes.

Senate Joint Resolution No. 85 -- Memorials, Death -- James L. Bailey. by *Springer, *Henry.

Senate Joint Resolution No. 87 -- Memorials, Public Service -- Cane Creek Baptist Church. by *Dixon, *Ford, *Kyle.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1838 -- Jackson -- Subject to local approval, revises charter to provide for election of judge and clerk of city court in accordance with general laws. Amends Chapter 101 of the Private Acts of 1993. by *Kisber.

DELAYED BILLS REFERRED

Pursuant to Rule No. 77, having been prefiled for introduction, House Bill(s) No(s). 1840, 1842, 1843 and 1844, was/were referred to the Delayed Bills Committee.

***House Bill No. 1840** -- Municipal Government -- Permits real property owners to vote in city elections in Collinwood. Amends TCA Section 6-20-106. by *Peach.

House Bill No. 1842 -- County Officers -- Removes law enforcement power and authority from constables in Montgomery County. Amends TCA 8-10-101; 8-10-108; 55-8-152; 57-5-202; 57-9-101. by *Head, *McMillan.

House Bill No. 1843 -- Appropriations -- Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1995. by *Bittle, *Bragg, *Davis, *McDaniel, *Kisber, *Head, *Walley, *Kent, *Cole (Carter), *Wood, *Gunnels, *Rhinehart, *Williams(Union), *Whitson, *Coffey, *Ford, *Sharp, *Venable, *Davidson, *DeBerry L, *Jones U (Shelby), *Turner (Shelby), *Jones R (Shelby), *Miller, *Boyer, *Cantrell, *Rinks, *Westmoreland,

*Callicott, *McAfee, *Ramsey, *McKee, *Kerr, *Dunn, *Newton, *Huskey, *Winningham, *Haley.

House Bill No. 1844 -- Bond Issues -- Authorizes \$140,800,000 bond issue to fund state projects. by *Bittle, *Bragg, *Davis, *McDaniel, *Kisber, *Head, *Walley, *Armstrong, *Kent, *Cole (Carter), *Wood, *Rhinehart, *Whitson, *Davidson, *Coffey, *Ford, *Sharp, *Williams (Union), *Venable, *DeBerry L, *Turner (Shelby), *Jones U (Shelby), *Jones R (Shelby), *Miller, *Westmoreland, *Callicott, *Roach, *Duer, *Dunn, *Newton, *Huskey, *Winningham, *Haley, *Rinks.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill:

***Senate Bill No. 19** -- Education -- Grants children serving as pages for general assembly during school year excused absences and credited as present for days missed while serving. by *Person, *Leatherwood, *Cohen.

***Senate Bill No. 51** -- Education, Higher -- Adds anthropologist from Middle Tennessee State University to archaeology advisory council. Amends TCA Title 11, Chapter 6. by *Womack, *Kyle.

***Senate Bill No. 186** -- Sunset Laws - Department of revenue, June 30, 2003. Amends TCA Title 4, Chapters 3, 29. by *Haynes.

***Senate Bill No. 197** -- Highway Signs - "Private Leslie P. Bottoms Memorial Highway," "J.W. Morris Memorial Bridge" and "Jimmy Ray Orr Memorial Bridge," S.R. 103, Dyer County. by *Hamilton.

***Senate Bill No. 453** -- Recreation - Enacts "Tennessee Vacation Club Act of 1995." Amends TCA Title 66, Chapter 32. by *Koella.

Senate Bill No. 537 -- Gas, Petroleum Products, Volatile Oils - Revises financial responsibility requirements of owner/operator under Tennessee Petroleum Underground Storage Tank Act. Amends TCA Title 68, Chapter 215, Part 1. by *Wallace.

***Senate Bill No. 580** -- Highway Signs - "Governor Isham G. Harris Highway," SR 114, Henry County. by *Hamilton.

***Senate Bill No. 600** -- Election Laws - Requires voter registration list and other information such as voter history to be available for purchase at price not to exceed cost of production; requires state election commission to establish uniform cost; authorizes county election commission to petition state election commission and be granted increase if costs exceeds rate established. Amends TCA 2-2-138. by *O'Brien, *Haynes, *Crutchfield, *Kyle, *Dixon, *Springer, *Atchley, *Elsea, *Harper, *Wallace, *Burks, *Henry, *Crowe.

***Senate Bill No. 621** -- Attorneys at Law - Prohibits attorneys from contacting injured persons within 30 days of date of injury for purpose of solicitation; violation is Class C misdemeanor. Amends TCA Title 23, Chapter 3, Part 1. by *Jordan, *McNally, *Gilbert, *Person,

THURSDAY, MARCH 9, 1995 -- EIGHTEENTH LEGISLATIVE DAY

*Miller J, *Atchley, *Holcomb, *Carter, *Haun, *Wright, *Springer, *Rice, *Fowler, *Cooper, *Elsea, *Dixon, *Crutchfield, *Burks.

***Senate Bill No. 748** -- Election Laws - Allows county election commissions to maintain absentee voting records electronically instead of in notebook binders. Amends TCA Section 2-6-301. by *Harper, *Rochelle, *Haynes, *Henry.

***Senate Bill No. 791** -- Alcoholic Beverages - Expands hotel authority to make gifts to registered guests of alcoholic beverages other than present authority for only wine. Amends TCA Section 57-4-203. by *Haynes.

***Senate Bill No. 923** -- Regional Authorities - Provides for selection of regional planning commission for planning region consisting of single county. Amends TCA Section 13-3-101. by *Womack.

***Senate Bill No. 986** -- Parks, Natural Areas Preservation - Removes right of persons over 65 to play golf for free on Mondays on state park courses operated by private management company or municipal or county government with direct financial risk in operations of course. Amends TCA Title 11, Chapter 3, Part 1. by *Wilder.

***Senate Bill No. 1008** -- Highways, Roads and Bridges - Designates U.S. 641 in Henry County as Blue Star Memorial Highway. Amends TCA Title 54, Chapter 5, Part 10. by *Hamilton.

***Senate Bill No. 1233** -- Water Pollution - Allows members of the water quality control board to serve more than two consecutive terms. Amends TCA Section 69-3-104(9). by *Jordan.

***Senate Bill No. 1244** -- District Attorneys - Authorizes additional criminal investigator for 8th judicial district. Amends TCA Title 16, Chapter 2, Part 5. by *O'Brien.

***Senate Bill No. 1296** -- Alcoholic Beverage Commission - Authorizes retired alcoholic beverage commission agents to retain service weapons in recognition of such agents' years of public service. Amends TCA Section 38-6-105. by *Burks.

***Senate Bill No. 1315** -- Tort Liability - Enacts "Tennessee Oil Spill Cleanup and Environmental Preservation Act of 1995." by *Cohen, *McNally.

***Senate Bill No. 1521** -- Marriage - Authorizes former governors and speakers of house of representatives and senate to solemnize marriages. Amends TCA Section 36-3-301. by *O'Brien.

***Senate Bill No. 1613** -- School Districts, Special - Authorizes Tenth Special School District of Wilson County to issue bonds in an amount not to exceed \$5.5 million; continues tax levy to retire bonds, also authorizes use of local sales tax and BEP capital outlay funds to fund bonds. Amends Chapter 330, Acts of 1901. by *Rochelle.

Senate Bill No. 1823 -- Weakley County - Subject to local approval, revises provisions relative to county highway commission, county highway supervisor, county highway department and road laws. Amends Chapter 640, Private Acts of 1949, as amended. by *Hamilton.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1836 -- Kingsport -- Local Bill held on House Desk

COMMITTEE ON CALENDAR AND RULES

March 9, 1995

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 13, 1995**: House Bill(s) No(s). 1619, 1700 and 1069.

The Committee set the following bills on the **Regular Calendar** for **March 15, 1995**: House Bill(s) No(s). 1189, 350, 1180, 530 and 947.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 13, 1995**: House Bill(s) No(s). 979, 299 and 817.

CONSENT CALENDAR

House Resolution No. 22 -- Memorials, Professional Achievement -- Wallace D. Alley, Sr., IME Magazine Quality Dealer Award finalist. by *Westmoreland.

House Resolution No. 23 -- Memorials, Public Service -- R. Larry Smith, service to Knox County. by *Boyer.

House Resolution No. 24 -- Memorials, Professional Achievement -- Timothy Hamilton. by *Pruitt.

House Joint Resolution No. 136 -- Memorials, Recognition and Thanks -- Black Fox Elementary School Bands. by *Bragg, *Eckles.

House Joint Resolution No. 137 -- Memorials, Academic Achievement -- Cason Lane Academy Quiz Bowl Team. by *Bragg, *Eckles.

House Joint Resolution No. 138 -- Memorials, Sports -- Black Fox School's Hot Shots Fitness Teams. by *Bragg, *Eckles.

House Joint Resolution No. 139 -- Memorials, Retirement -- Betty Carole Hardcastle. by *McDonald.

House Joint Resolution No. 140 -- Memorials, Retirement -- Chief Norman Mayo. by *Davidson.

House Joint Resolution No. 142 -- Memorials, Academic Achievement -- Emily Harrison, State Beta competition winner. by *Ford.

House Joint Resolution No. 146 -- Memorials, Sports -- David Blackstock, Union University Lady Bulldogs, TCCC Coach of the Year. by *Kisber.

Senate Joint Resolution No. 73 -- Memorials, Sports -- Cleveland High School football team TSSAA Class 4A state champions. by *Miller.

Senate Joint Resolution No. 79 -- Memorials, Personal Achievement -- Cameron Jackson Burnette, Eagle Scout. by *Miller.

Senate Joint Resolution No. 80 -- Memorials, Personal Achievement -- Matthew Eugene Beeken; Eagle Scout. by *Miller.

Senate Joint Resolution No. 70 -- Memorials, Retirement -- Dorcie Lee Yates. by *Hamilton.

Senate Joint Resolution No. 72 -- Memorials, Death -- Floyd C. Porter. by *Koella.

Senate Joint Resolution No. 75 -- Memorials, Retirement -- Samuel R. Bacon, U.S. Department of Agriculture. by *Burks.

Senate Joint Resolution No. 76 -- Memorials, Death -- Dr. Douglas D. Paschall, Headmaster of Montgomery Bell Academy. by *Henry.

Senate Joint Resolution No. 77 -- Memorials, Personal Occasion -- Robert and Bertha Brace, 50th wedding anniversary. by *Rochelle.

Senate Joint Resolution No. 78 -- Memorials, Death -- Doug Underwood, Nashville, publisher of Westview. by *Henry, *Haynes.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97
Noes..... 0

Representatives voting aye were: Armstrong, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh --97.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 93** -- Motor Vehicles, Titling and Registration
-- Permits alumnus of University of Alabama to purchase special license plate denoting University of Alabama logo and colors. Amends TCA Title 55, Chapter 4. by *Odom(SB93 by *Henry).

Further consideration of House Bill No. 93, previously considered on March 2, 1995, at which time it was reset for the Regular Calendar for March 9, 1995.

On motion of Rep. Odom, House Bill No. 93 was reset to the Calendar for March 30, 1995, which motion prevailed.

House Bill No. 782 -- Sexual Offenses -- Establishes mandatory minimum periods of incarceration and fines for persons committing offenses of prostitution and patronizing prostitution within one and one-half miles of school; makes state law prohibiting prostitution, patronizing prostitution and promoting prostitution preeminent over private acts or ordinances prohibiting same conduct. Amends TCA Title 39, Chapter 13, Part 5. by *West(*SB2 by *Harper).

Rep. West moved that House Bill No. 782 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 782 by deleting SECTION 3 in its entirety and by renumbering SECTION 4 accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Brooks moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 782 by adding the following as section 4 and renumbering the subsequent sections accordingly:

Section 4. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is further amended by adding the following as an appropriately numbered new section:

Section _____. (a) Upon application for construction of any hotel/motel having seventy-five (75) rooms or less, which provides rooms at an hourly rate, the local government/appropriate agency shall hold a public hearing involving the affected community prior to issuing any permits or licenses for such construction.

(b) Any hotel/motel having seventy-five (75) rooms or less providing rooms at an hourly rate shall be prohibited from locating within twenty-five (25) miles of any residential area.

Rep. West requested that House Bill No. 782 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 621 -- Medical Occupations -- Adds physician assistant to advisory board to primary health care centers who may be appointed from list of 3 nominees submitted by Tennessee Academy of Physician Assistants. Amends TCA 68-1-701. by *Odom(*SB268 by *Womack).

On motion, House Bill No. 621 was made to conform with **Senate Bill No. 268**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 268 be passed on third and final consideration.

On motion, Rep. Byrd withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Odom moved that **Senate Bill No. 268**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes..... 0

Representatives voting aye were: Armstrong, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh --97.

House Bill No. 622 -- Medical Occupations -- Revises certain provisions relative to application and renewal of certificate as physician assistant. Amends TCA 63-19-104, 105. by *Odom(*SB273 by *Womack).

On motion, House Bill No. 622 was made to conform with **Senate Bill No. 273**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that **Senate Bill No. 273** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 89
Noes..... 7
Present and not voting..... 1

Representatives voting aye were: Armstrong, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott,

Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisher, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Winningham, Wood, Mr. Speaker Naifeh - - 89.

Representatives voting no were: Burchett, Davidson, Rhinehart, Rigbsy, Rinks, White, Windle -- 7.

Representatives present and not voting were: Hargrove -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from aye to no Senate Bill No. 273 and have this statement entered in the Journal: Rep(s). Phelan.

REGULAR CALENDAR, CONTINUED

***House Bill No. 352** -- Traffic Safety -- Adds local governmental entities to list of entities that may assess fee for conducting driver improvement course; fee not to exceed \$50.00 and must be conducted by government or 501(c)(3) corporation; no one shall be refused admittance for inability to pay. Amends TCA Section 55-10-301. by *Odom(SB964 by *Haynes).

Rep. Odom moved that House Bill No. 352 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 352 by deleting the language ", and no one shall be refused admittance for inability to pay" from the amendatory language of Section 1.

On motion, Amendment No. 1 was adopted.

On motion of Rep. Odom, House Bill No. 352 was reset one week to the Calendar for March 15, 1995, which motion prevailed.

***House Bill No. 193** -- Handicapped Persons -- Requires department of safety to maintain computer records of issuance of parking placards and license plates to disabled persons in order to assist law enforcement officers. Amends TCA Title 55. by *Odom(SB587 by *Henry).

On motion, House Bill No. 193 was made to conform with **Senate Bill No. 587**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 587 be passed on third and final consideration.

Rep. Duer moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 587 by adding to the end of the amendatory language of Section 1 the following:

The department of safety shall not sell the list or records maintained pursuant to this section.

On motion, Amendment No. 1 was adopted.

On motion of Rep. Odom, Senate Bill No. 587 was reset to the next available space on the next available Calendar, Monday, March 13, 1995, which motion prevailed.

***House Bill No. 356** -- District Attorneys -- Creates additional secretarial position in 15th judicial district. Amends TCA 162-506. by *Buck, *Winningham, *Bell (SB625 by *Rochelle).

Rep. Buck moved that **House Bill No. 356** be re-referred to the Calendar and Rules Committee, which motion prevailed.

House Bill No. 782 -- Sexual Offenses -- Establishes mandatory minimum periods of incarceration and fines for persons committing offenses of prostitution and patronizing prostitution within one and one-half miles of school; makes state law prohibiting prostitution, patronizing prostitution and promoting prostitution preeminent over private acts or ordinances prohibiting same conduct. Amends TCA Title 39, Chapter 13, Part 5. by *West(*SB2 by *Harper).

Further consideration of House Bill No. 782, previously considered on today's Calendar.

Rep. Brooks moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Brooks moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Kernell moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. West moved that **House Bill No. 782** as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 1

Representatives voting aye were: Armstrong, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, March 13, 1995:

House Bill No. 897: Rep. Rhinehart.

SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 14: Rep(s). Westmoreland, Chumney, Bird, Windle, McMillan and Peach as prime sponsor(s).

House Bill No. 23: Rep(s). Kent as prime sponsor(s).

House Bill No. 592: Rep(s). Duer as prime sponsor(s).

House Bill No. 832: Rep(s). Stamps as prime sponsor(s).

House Bill No. 947: Rep(s). Haley as prime sponsor(s).

House Bill No. 1268: Rep(s). Haley as prime sponsor(s).

House Bill No. 1528: Rep(s). Haley as prime sponsor(s).

House Bill No. 1700: Rep(s). Whitson and Byrd as prime sponsor(s).

MESSAGE FROM THE GOVERNOR

March 9, 1995

THURSDAY, MARCH 9, 1995 -- EIGHTEENTH LEGISLATIVE DAY

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 71, 74, 86 and 115; with his approval.

HARDY MAYS, Counsel to the Governor.
ENROLLED BILLS
March 9, 1995

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 153, 225, 287, 357 and 1131; also, House Resolution(s) No(s). 25.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 9, 1995

The Speaker signed the following: House Bill(s) No(s). 153, 225, 287, 357 and 1131; also, House Resolution(s) No(s). 25.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 9, 1995

The Speaker signed the following: Senate Bill(s) No(s). 251.

MESSAGE FROM THE SENATE
March 9, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 430 and 597; both for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 9, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 117, 118, 119, 123, 124, 127 and 141; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS
March 9, 1995

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 141.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 9, 1995

The Speaker signed the following: House Joint Resolution(s) No(s). 141.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 9, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 141; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 9, 1995

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 141.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
March 9, 1995

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 141; with his approval.

HARDY MAYS, Counsel to the Governor.

MESSAGE FROM THE SENATE
March 9, 1995

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 345, 620, 1353, 1573, 1587, 1604, 1826 and 1828; all substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS
March 9, 1995

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 782; also, House Joint Resolution(s) No(s). 136, 137, 138, 139, 140, 142 and 146.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 9, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 147, 170, 293, 387, 409, 474, 531, 555, 882, 982, 988, 1783, 1784, 1798 and 1802; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 147** -- Motor Vehicles, Titling and Registration -- Removes restrictions which limit motorists with special plates from obtaining multiple plates. Amends TCA Title 55, Chapter 4. by *Crutchfield.

***Senate Bill No. 170** -- County Government -- Authorizes county legislative body to rescind enactment of severance tax by resolution adopted by majority of its members Amends TCA 67-7-201. by *Womack.

***Senate Bill No. 293** -- Law Enforcement -- Gives housing project security officers law enforcement authority in Chattanooga, Knoxville, Nashville and Memphis, if officers meet qualifications of police officers. Amends TCA 13-20-419. by *Cohen.

***Senate Bill No. 387** -- Motor Vehicles, Titling and Registration -- Permits Shelby County clerk to assess \$2.50 for motor vehicle registration fees. Amends TCA Title 55, Chapter 6. by *Ford.

***Senate Bill No. 409** -- Taxes, Real Property -- Permits partial payments and electronic transfer payments in Stewart, Hardeman, Cheatham, Dickson, Campbell, Tipton and Roane counties. Amends TCA Section 67-5-1801(e). by *McNally, *Rice, *Hamilton, *O'Brien, *Wildier, *Leatherwood, *Springer.

***Senate Bill No. 474** -- Pensions and Retirement Benefits -- Allows members of general assembly taking office between March 10, 1993 and March 10, 1995, to continue to receive TCRS benefits which such members were receiving prior to taking office. Amends TCA Section 8-36-808(a). by *Atchley.

***Senate Bill No. 531** -- Utilities, Utility Districts -- Requires utility management review board to review and comment on petition to modify utility district service area. Amends TCA Title 7, Chapter 82. by *Rochelle.

***Senate Bill No. 555** -- Holidays -- "Scottish-Irish Heritage Day," June 24. Amends TCA Title 15, Chapter 2. by *Koella, *Miller, *McNally.

***Senate Bill No. 882** -- Fees -- Increases clerk's commission from 5 to 10 percent for clerks of various courts in Shelby County for performing various services; authorizes certain new fees for such clerks. Amends TCA 8-14-205; Title 8, Chapter 21; 36-3-604; 40-24-101; 40-3-206; 40-11-204; 40-14-202. by *Ford, *Dixon.

Senate Bill No. 982 -- Utilities, Utility Districts -- Clarifies that no provision shall be construed to prohibit utility district from becoming member of local chamber of commerce. Amends TCA Title 7, Chapter 82. by *Carter.

Senate Bill No. 988 -- Utilities, Utility Districts -- Increases membership of board for Crockett Mill Public Utility District from three to five. Amends TCA Title 7, Chapter 82. by *Wildier.

Senate Bill No. 1783 -- Managed Care Organizations -- Requires HMOs to pay taxes on gross amount of dollars collected from enrollee quarterly rather than annually subsequent to the March 1, 1995, payment. Amends TCA 56-32-224(b). by *Haun, *McNally, *Atchley, *Elsea, *Hamilton.

Senate Bill No. 1784 -- Insurance Companies, Agents, Brokers -- Changes second quarterly due date for gross insurance premium tax from August 29 to August 20. Amends TCA 56-4-205(a)(2). by *Elsea, *McNally, *Atchley, *Haun, *Hamilton.

Senate Bill No. 1798 -- Public Contracts -- Changes bidding procedures to be followed by general contractors submitting bids to department of general services so that information is to be furnished within bid or bid document and need not appear on the envelope. Amends TCA 62-6-119. by *Elsea, *Atchley, *Person, *Rice, *Carter, *Haun, *McNally.

Senate Bill No. 1802 -- Taxes -- Lowers minimum dollar value from \$20,000 to \$10,000 of state taxes due whereby commissioner of revenue may require payment in full on or before due date. Amends TCA 67-1-703. by *Atchley, *McNally.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were: Armstrong, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 13, 1995.